

	U.S. ENVIRONMENTAL PROTECTION AGENCY Assistance Amendment	GRANT NUMBER (FAIN): 99267202 MODIFICATION NUMBER: 2 PROGRAM CODE: BG	DATE OF AWARD 02/02/2007
		TYPE OF ACTION Augmentation: Increase	MAILING DATE 02/09/2007
		PAYMENT METHOD: Advance	ACH# 20043
RECIPIENT TYPE: Indian Tribe		Send Payment Request to: Las Vegas Finance Center	
RECIPIENT: St. Regis Mohawk Tribe 412 State Route 37 Akwesasne, NY 13655 EIN: 16-1007650		PAYEE: Director, Finance St. Regis Mohawk Tribe 412 State Route 37 Akwesasne, NY 13655	
PROJECT MANAGER Ken Kock 412 State Route 37 Akwesasne, NY 13655 E-Mail: Phone: 518-358-2272	EPA PROJECT OFFICER Christine Yost 290 Broadway, DEPP/DO New York, NY 10007-1866 E-Mail: Yost.Christine@epa.gov Phone: 212-637-3564	EPA GRANT SPECIALIST Cynthia Pabon Grants and Contracts Mngt. Branch, OPM/GCMB E-Mail: pabon.cynthia@epa.gov Phone: 212-637-3405	
PROJECT TITLE AND EXPLANATION OF CHANGES St. Regis 06-10 PPG This amendment increases the agreement by \$245,457 from \$942,909 to \$1,188,366; adds Administrative Condition 12; and revises Administrative Condition 2 and Programmatic Condition 6. Administrative Condition No. 11 has been satisfied. When additional funds become available, the agreement will be increased.			
BUDGET PERIOD 01/01/2006 - 01/31/2010	PROJECT PERIOD 01/01/2006 - 01/31/2010	TOTAL BUDGET PERIOD COST \$5,333,153.00	TOTAL PROJECT PERIOD COST \$5,333,153.00
NOTICE OF AWARD			
Based on your Application dated 06/06/2005 including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA) hereby awards \$245,457. EPA agrees to cost-share <u>94.20%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$1,188,366. Recipient's signature is not required on this agreement. The recipient demonstrates its commitment to carry out this award by either: 1) drawing down funds within 21 days after the EPA award or amendment mailing date; or 2) not filing a notice of disagreement with the award terms and conditions within 21 days after the EPA award or amendment mailing date. If the recipient disagrees with the terms and conditions specified in this award, the authorized representative of the recipient must furnish a notice of disagreement to the EPA Award Official within 21 days after the EPA award or amendment mailing date. In case of disagreement, and until the disagreement is resolved, the recipient should not draw down on the funds provided by this award/amendment, and any costs incurred by the recipient are at its own risk. This agreement is subject to applicable EPA regulatory and statutory provisions, all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS Grants and Audit Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866		ORGANIZATION / ADDRESS U.S. EPA, Region 2 Division of Environmental Planning and Protection 290 Broadway New York, NY 10007-1866	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Donna J. Vizian - Assistant Regional Administrator for Policy and Management			DATE 02/02/2007

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$ 942,909	\$ 245,457	\$ 1,188,366
EPA In-Kind Amount	\$ 0	\$	\$ 0
Unexpended Prior Year Balance	\$ 0	\$	\$ 0
Other Federal Funds	\$ 0	\$	\$ 0
Recipient Contribution	\$ 309,502	\$	\$ 309,502
State Contribution	\$ 0	\$	\$ 0
Local Contribution	\$ 0	\$	\$ 0
Other Contribution	\$ 0	\$	\$ 0
Allowable Project Cost	\$ 1,252,411	\$ 245,457	\$ 1,497,868

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.605 - Performance Partnership Grants	Appropriations Act of 1996 (PL 104-134)	40 CFR PTS 31 & 35 SUBPT B

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	HE0065	2007	E1	02TB	503B15E	41.08	-	-	12,957
-	-	2007	E1	02TB	202B06E	41.08	-	-	32,500
-	-	2007	E1	02TB	101A17E	41.08	-	-	200,000
									245,457

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$2,459,859
2. Fringe Benefits	\$904,484
3. Travel	\$207,942
4. Equipment	\$82,044
5. Supplies	\$337,054
6. Contractual	\$293,091
7. Construction	\$0
8. Other	\$319,825
9. Total Direct Charges	\$4,604,299
10. Indirect Costs: % Base	\$571,918
11. Total (Share: Recipient <u>5.80</u> % Federal <u>94.20</u> %.)	\$5,176,217
12. Total Approved Assistance Amount	\$5,023,651
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$245,457
15. Total EPA Amount Awarded To Date	\$1,188,366

Administrative Conditions

Administrative Condition No. 11 has been satisfied. Therefore, SRMT can charge costs for rent and other allocated direct charges to the agreement for 2006. Administrative Condition 2 has been revised as follows:

2. FINANCIAL STATUS REPORTS/GRANT CLOSEOUT

A) Interim Financial Status Reports (FSR)

An Interim Financial Status Report (FSR-SF269) is to be submitted to the EPA Grants and Contracts Management Branch 90 days after the anniversary of the project period start date. Interim FSRs should be submitted to:

Roch Baamonde, Chief
Grants and Contracts Management Branch
USEPA Region 2
290 Broadway, 27th Floor
New York, NY 10007

B) Final Financial Status Reports

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit a final Financial Status Report – also called the SF269 – to EPA's Las Vegas Finance Center (LVFC), within ninety (90) days after the expiration of the budget period end date. Completed SF269s must be faxed to 702-798-2423 or mailed to the following address: USEPA LVFC, P.O. Box 98515, Las Vegas, NV 89193-8515. The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Financial Status Report.

C) Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FSR. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Contracts Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

Additionally, the recipient's Final Request for Payment should be submitted to the LVFC.

The following Condition is added:

12. DRUG-FREE WORKPLACE CERTIFICATION

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

All other Administrative Conditions remain the same.

Programmatic Conditions

Programmatic Condition No. 6 is revised as follows:

6. WORKPLANS

Calendar Year 2007 workplans for GAP and CAA 105 have been approved. CWA 106 workplan for 2007 is under review and is to be approved prior to recipient expending funds for tasks included in this workplan.

Calendar Year 2007 workplans for GAP and CAA 105 have been approved. CWA 106 workplan for 2007 is under review and is to be approved prior to recipient expending funds for tasks included in this workplan.

All other Programmatic Conditions remain the same.